

SHB 1174 - S COMM AMD

By Committee on Early Learning, K-12 & Higher Education

ADOPTED 04/13/2005

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.15  
4 RCW to read as follows:

5 (1) The legislature finds that active military and naval veterans,  
6 reserve military and naval veterans, and national guard members called  
7 to active duty have served their country and have risked their lives to  
8 defend the lives of all Americans and the freedoms that define and  
9 distinguish our nation. The legislature intends to honor active  
10 military and naval veterans, reserve military and naval veterans, and  
11 national guard members who have served on active military or naval duty  
12 for the public service they have provided to this country.

13 (2) Subject to the limitations in RCW 28B.15.910, the governing  
14 boards of the state universities, the regional universities, The  
15 Evergreen State College, and the community colleges, may waive all or  
16 a portion of tuition and fees for the following persons:

17 (a) An eligible veteran or national guard member;

18 (b) A child and the spouse of an eligible veteran or national guard  
19 member who became totally disabled as defined in RCW 28B.15.385 while  
20 engaged in active federal military or naval service, or who is  
21 determined by the federal government to be a prisoner of war or missing  
22 in action;

23 (c) A child and the surviving spouse of an eligible veteran or  
24 national guard member who lost his or her life while engaged in active  
25 federal military or naval service. However, upon remarriage, the  
26 surviving spouse of an eligible veteran or national guard member is  
27 ineligible for a waiver under this section.

28 (3) The governing boards of the state universities, the regional  
29 universities, The Evergreen State College, and the community colleges,  
30 may waive all or a portion of tuition and fees for a military or naval

1 veteran who is a Washington domiciliary, but who did not serve on  
2 foreign soil or in international waters or in another location in  
3 support of those serving on foreign soil or in international waters and  
4 who does not qualify as an eligible veteran or national guard member  
5 under subsection (5) of this section. However, there shall be no state  
6 general fund support for waivers granted under this subsection.

7 (4) Private vocational schools and private higher education  
8 institutions are encouraged to provide waivers consistent with the  
9 terms in subsections (2) and (3) of this section.

10 (5) As used in this section "eligible veteran or national guard  
11 member" means a Washington domiciliary who was an active or reserve  
12 member of the United States military or naval forces, or a national  
13 guard member called to active duty, who served in active federal  
14 service, under either Title 10 or Title 32 of the United States Code,  
15 in a war or conflict fought on foreign soil or in international waters  
16 or in another location in support of those serving on foreign soil or  
17 in international waters, and if discharged from service, has received  
18 an honorable discharge.

19 **Sec. 2.** RCW 28B.15.380 and 1993 sp.s. c 18 s 10 are each amended  
20 to read as follows:

21 Subject to the limitations of RCW 28B.15.910, the governing boards  
22 of the state universities, the regional universities, and The Evergreen  
23 State College may exempt the following students from the payment of all  
24 or a portion of tuition fees and services and activities fees:

25 ~~((1) All veterans as defined in RCW 41.04.005: PROVIDED, That~~  
26 ~~such persons are no longer entitled to federal vocational or~~  
27 ~~educational benefits conferred by virtue of their military service:~~  
28 ~~AND PROVIDED FURTHER, That if any such veterans have not resided in~~  
29 ~~this state for one year prior to registration, the board may exempt the~~  
30 ~~student from paying up to fifty percent of the nonresident tuition fees~~  
31 ~~differential. Such exemptions may be provided only to those persons~~  
32 ~~otherwise covered who were enrolled in universities on or before~~  
33 ~~October 1, 1977.~~

34 (2)) Children of any law enforcement officer or fire fighter who  
35 lost his or her life or became totally disabled in the line of duty  
36 while employed by any public law enforcement agency or full time or  
37 volunteer fire department in this state: PROVIDED, That such persons

1 may receive the exemption only if they begin their course of study at  
2 a state-supported college or university within ten years of their  
3 graduation from high school.

4 **Sec. 3.** RCW 28B.15.910 and 2004 c 275 s 51 are each amended to  
5 read as follows:

6 (1) For the purpose of providing state general fund support to  
7 public institutions of higher education, except for revenue waived  
8 under programs listed in subsections (3) and (4) of this section, and  
9 unless otherwise expressly provided in the omnibus state appropriations  
10 act, the total amount of operating fees revenue waived, exempted, or  
11 reduced by a state university, a regional university, The Evergreen  
12 State College, or the community colleges as a whole, shall not exceed  
13 the percentage of total gross authorized operating fees revenue in this  
14 subsection. As used in this section, "gross authorized operating fees  
15 revenue" means the estimated gross operating fees revenue as estimated  
16 under RCW 82.33.020 or as revised by the office of financial  
17 management, before granting any waivers. This limitation applies to  
18 all tuition waiver programs established before or after July 1, 1992.

- |    |                                   |            |
|----|-----------------------------------|------------|
| 19 | (a) University of Washington      | 21 percent |
| 20 | (b) Washington State University   | 20 percent |
| 21 | (c) Eastern Washington University | 11 percent |
| 22 | (d) Central Washington University | 8 percent  |
| 23 | (e) Western Washington University | 10 percent |
| 24 | (f) The Evergreen State College   | 6 percent  |
| 25 | (g) Community colleges as a whole | 35 percent |

26 (2) The limitations in subsection (1) of this section apply to  
27 waivers, exemptions, or reductions in operating fees contained in the  
28 following:

- 29 (a) (~~(RCW 28B.10.265;~~  
30 ~~(b))~~) RCW 28B.15.014;  
31 (~~(c)~~) (b) RCW 28B.15.100;  
32 (~~(d)~~) (c) RCW 28B.15.225;  
33 (~~(e)~~) (d) RCW 28B.15.380;  
34 (~~(f)~~) (e) RCW 28B.15.520;  
35 (~~(g)~~) (f) RCW 28B.15.526;  
36 (~~(h)~~) (g) RCW 28B.15.527;  
37 (~~(i)~~) (h) RCW 28B.15.543;

1 ((+j)) (i) RCW 28B.15.545;  
2 ((+k)) (j) RCW 28B.15.555;  
3 ((+l)) (k) RCW 28B.15.556;  
4 ((+m)) (l) RCW 28B.15.615;  
5 ((+n) RCW 28B.15.620;  
6 (+o) RCW 28B.15.628;  
7 (+p)) (m) RCW 28B.15.730;  
8 ((+q)) (n) RCW 28B.15.740;  
9 ((+r)) (o) RCW 28B.15.750;  
10 ((+s)) (p) RCW 28B.15.756;  
11 ((+t)) (q) RCW 28B.50.259;  
12 ((+u)) (r) RCW 28B.70.050; and  
13 ((+v) During the 1997-99 fiscal biennium, the western interstate  
14 commission for higher education undergraduate exchange program for  
15 students attending Eastern Washington University)) (s) Section 1 (2)  
16 and (3) of this act.

17 (3) The limitations in subsection (1) of this section do not apply  
18 to waivers, exemptions, or reductions in services and activities fees  
19 contained in the following:

- 20 (a) RCW 28B.15.522;
- 21 (b) RCW 28B.15.540; and
- 22 (c) RCW 28B.15.558.

23 (4) The total amount of operating fees revenue waived, exempted, or  
24 reduced by institutions of higher education participating in the  
25 western interstate commission for higher education western  
26 undergraduate exchange program under RCW 28B.15.544 shall not exceed  
27 the percentage of total gross authorized operating fees revenue in this  
28 subsection.

- 29 (a) Washington State University 1 percent
- 30 (b) Eastern Washington University 3 percent
- 31 (c) Central Washington University 3 percent

32 **Sec. 4.** RCW 28B.15.558 and 2003 c 160 s 2 are each amended to read  
33 as follows:

34 (1) The governing boards of the state universities, the regional  
35 universities, The Evergreen State College, and the community colleges  
36 may waive all or a portion of the tuition and services and activities  
37 fees for state employees as defined under subsection (2) of this

1 section(~~(, veterans of the Korean conflict, and members of the~~  
2 ~~Washington national guard)~~). The enrollment of these persons is  
3 pursuant to the following conditions:

4 (a) Such persons shall register for and be enrolled in courses on  
5 a space available basis and no new course sections shall be created as  
6 a result of the registration;

7 (b) Enrollment information on persons registered pursuant to this  
8 section shall be maintained separately from other enrollment  
9 information and shall not be included in official enrollment reports,  
10 nor shall such persons be considered in any enrollment statistics that  
11 would affect budgetary determinations; and

12 (c) Persons registering on a space available basis shall be charged  
13 a registration fee of not less than five dollars.

14 (2) For the purposes of this section, "state employees" means  
15 persons employed half-time or more in one or more of the following  
16 employee classifications:

17 (a) Permanent employees in classified service under chapter 41.06  
18 RCW;

19 (b) Permanent employees governed by chapter 41.56 RCW pursuant to  
20 the exercise of the option under RCW 41.56.201;

21 (c) Permanent classified employees and exempt paraprofessional  
22 employees of technical colleges; and

23 (d) Faculty, counselors, librarians, and exempt professional and  
24 administrative employees at institutions of higher education as defined  
25 in RCW 28B.10.016.

26 ~~(3) ((For the purposes of this section, "veterans of the Korean~~  
27 ~~conflict" means persons who served on active duty in the armed forces~~  
28 ~~of the United States during any portion of the period beginning June~~  
29 ~~27, 1950, and ending January 31, 1955.~~

30 ~~(4))~~) In awarding waivers, an institution of higher education may  
31 award waivers to eligible persons employed by the institution before  
32 considering waivers for eligible persons who are not employed by the  
33 institution.

34 ~~((+5))~~) (4) If an institution of higher education exercises the  
35 authority granted under this section, it shall include all eligible  
36 state employees(~~(, veterans of the Korean conflict, and members of the~~  
37 ~~Washington national guard)~~) in the pool of persons eligible to  
38 participate in the program.

1       (~~(6)~~) (5) In establishing eligibility to receive waivers,  
2 institutions of higher education may not discriminate between full-time  
3 employees and employees who are employed half-time or more.

4       NEW SECTION. Sec. 5. The following acts or parts of acts are each  
5 repealed:

6       (1) RCW 28B.10.265 (Waiver from fees--Children of certain citizens  
7 missing in action or prisoners of war) and 1993 sp.s. c 18 s 1, 1992 c  
8 231 s 2, 1985 c 390 s 1, 1973 c 63 s 2, & 1972 ex.s. c 17 s 2;

9       (2) RCW 28B.15.620 (Exemption from tuition and fees increase at  
10 institutions of higher education--Vietnam veterans) and 1999 c 82 s 1,  
11 1995 c 349 s 1, 1994 c 208 s 1, 1993 sp.s. c 18 s 24, 1992 c 231 s 22,  
12 1989 c 306 s 4, 1983 c 307 s 1, 1979 ex.s. c 83 s 1, 1977 ex.s. c 322  
13 s 9, 1972 ex.s. c 149 s 3, & 1971 ex.s. c 279 s 22;

14       (3) RCW 28B.15.628 (Waiver of tuition and fees increases at  
15 institutions of higher education--Persian Gulf veterans) and 1999 c 82  
16 s 2, 1996 c 169 s 1, 1994 c 208 s 2, 1993 sp.s. c 18 s 25, 1992 c 231  
17 s 23, & 1991 c 228 s 14; and

18       (4) RCW 28B.15.629 (Tuition waivers at technical colleges--Vietnam  
19 veterans--Persian Gulf veterans) and 1999 c 82 s 3."

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20       On page 1, line 2 of the title, after "education;" strike the  
21 remainder of the title and insert "amending RCW 28B.15.380, 28B.15.910,  
22 and 28B.15.558; adding a new section to chapter 28B.15 RCW; and  
23 repealing RCW 28B.10.265, 28B.15.620, 28B.15.628, and 28B.15.629."

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